

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Nicholas J. Cremona  
Dean D. Hunt

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ESTATE OF SAMUEL ROITENBERG; SAMUEL  
ROITENBERG TRUST; HAROLD  
ROITENBERG, in his capacity as Trustee for the  
Samuel Roitenberg Trust,

Defendants.

Adv. Pro. No. 10-05215 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Estate of Samuel Roitenberg, Samuel Roitenberg Trust, and Harold Roitenberg, in his capacity as Trustee for the Samuel Roitenberg Trust (“Defendants”), by and through their counsel, Tracy L. Klestadt and Brendan M. Scott of Klestadt Winters Jureller Southard & Stevens, LLP and Allen Saeks and Blake Shepard of Stinson Leonard Street LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 3, 2010, the Trustee filed and served the Complaint against Estate of Samuel Roitenberg, Samuel Roitenberg Trust, Harold Roitenberg, in his capacity as Trustee for the Samuel Roitenberg Trust, T. R., and N. R.

2. On September 15, 2014, the Trustee filed a Notice of Voluntary Dismissal of Defendants T. R. and N. R.

3. On May 19, 2014, Defendants served an answer on the Trustee.

4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and

parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: May 1, 2015

**BAKER & HOSTETLER LLP**

By: /s/ Nicholas J. Cremona  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: [dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)  
Nicholas J. Cremona  
Email: [ncremona@bakerlaw.com](mailto:ncremona@bakerlaw.com)  
Dean D. Hunt  
Email: [dhunt@bakerlaw.com](mailto:dhunt@bakerlaw.com)

*Attorneys for Plaintiff Irving H. Picard, Trustee for  
the Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L. Madoff*

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

**STINSON LEONARD STREET LLP**

By: /s/ Allen I. Sacks  
Tracy L. Klestadt  
Brendan M. Scott  
570 Seventh Avenue, 17<sup>th</sup> Floor  
New York, NY 10018-6314  
Telephone: 212.972.3000

Allen I. Sacks  
Blake Shepard  
150 South Fifth Street, Suite 2300  
Minneapolis, MN 55402

Telephone: 612.335.1500

*Attorneys for Defendants Estate of Samuel  
Roitenberg, Samuel Roitenberg Trust, and Harold  
Roitenberg*

SO ORDERED.

Dated: May 1, 2015  
New York, New York

/s/ Stuart M. Bernstein  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE